

REMARKS

The Office Action mailed October 31, 2007, has been received and reviewed. Prior to the present communication, claims 1-47 were pending in the subject application. All claims stand rejected. More specifically, claims 1, 2, 9, 11-13, 20, 22-24, 30-31 and 37-38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,664,206 to Murrow et al. (hereinafter the “Murrow reference”) in view of the commercial product Forte version 2, as documented in the manual Building International Applications (hereinafter the “Forte reference”). Claims 3-7, 10, 14-18, 21, 25-29, 32-36 and 39-47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Murrow reference in view of the Forte reference, in further view of U.S. Patent No. 6,035,121 to Chiu et al. (hereinafter the “Chiu reference”). Reconsideration of the application in view of the previously presented amendments and the following remarks is respectfully requested.

Rejections based on 35 U.S.C. § 103(a)

Title 35 U.S.C. § 103(a) declares, a patent shall not issue when “the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.” The Supreme Court in *Graham v. John Deere* counseled that an obviousness determination is made by identifying: the scope and content of the prior art; the level of ordinary skill in the prior art; the differences between the claimed invention and prior art references; and secondary considerations. *Graham v. John Deere Co.*, 383 U.S. 1 (1966).

To support a finding of obviousness, the initial burden is on the Office to apply the framework outlined in *Graham* and to provide some reason, or suggestion or motivation

found either in the prior art references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the prior art reference or to combine prior art reference teachings to produce the claimed invention. See, *Application of Bergel*, 292 F. 2d 955, 956-957 (1961). Thus, in order “[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success [in combining the references]. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” See MPEP § 2143. Recently, the Supreme Court elaborated, at pages 13-14 of *KSR*, it will be necessary for [the Office] to look at interrelated teachings of multiple [prior art references]; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by [one of] ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the [patent application].” *KSR v. Teleflex*, 127 S. Ct. 1727 (2007).

Claims 1, 2, 9, 11-13, 20, 22-24, 30-31 and 37-38 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Murrow reference in view of the Forte reference. As the Murrow and Forte references, either alone or in combination, fail to teach or suggest each and every element of the claims, Applicants respectfully traverse the rejection as hereinafter set forth..

Independent claim 1, as previously presented, recites a method for generating a software translation which comprises, in part, storing the run-time translation resources for selective installation in a software application associated with the source software component,

the source software component subjected to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards* and *preventing completion of a code build* where the source software component is not properly internationalized according to the one or more code internationalization standards. As stated in the Specification, the automated quality control process allows “developers and vendors to trap and avoid internationalization issues from the beginning” by failing code that is not properly internationalized. *Specification*, at p. 11, ¶ [0033].

By way of contrast, as noted in the remarks included with Applicants’ previous response, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code internationalization standards and prevents completion of a code build where the source software is not properly internationalized. *See, e.g., Murrow reference* at FIG. 4. The addition of the Forte reference fails to cure these deficiencies for at least three separate and distinct reasons. First, even assuming the check and compare feature of the Forte reference is an automated quality control, the feature occurs at run-time of an application, not during the software build. *See, e.g., Forte reference* at p. 36. Previously presented claim 1 requires that the automated quality control occur during the software build—explicitly requiring that completion of the build be prevented where software is not properly internationalized. Completion of the build could not be prevented during run-time, when the Forte reference performs the check and compare feature.

Second, the codesets identified by the Examiner as an automated quality control do not involve internationalization. *See Forte reference* at p. 19. In fact, the codesets do not involve natural language at all. *See Forte reference* at p. 15. Instead, the codesets of the Forte reference refer to machine-language formats such as ASCII, ShiftJIS, ISO8859-1, and

MacIntosh-Roman. *See id.* These machine-language storage formats are different from the internationalization language standards required by previously presented claim 1.

Third, the Forte reference fails to teach or suggest international standards at all. *See generally Forte reference.* As previously presented, independent claim 1 requires the automated quality control to access one or more code internationalization standards (e.g., International Standards Organization (ISO) and the European Union (EU) standards). *See Specification* at pp. 10-11, ¶¶ [0030]-[0033]. If code is not properly internationalized, the quality control will fail the code and allow developers to discover and cure any internationalization issues during the software build. *See id.* Accordingly, it is respectfully submitted that the Murrow and Forte references, either alone or in combination, fail to teach or suggest each and every element of independent claim 1. Thus, claim 1 is patentable over the Murrow and Forte references and withdrawal of the 35 U.S.C. § 103(a) rejection of this claim is respectfully requested.

With reference to independent claim 12, as previously presented, a system is recited for generating a software translation which comprises, in part, a source software component that is subjected to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards* and *preventing completion of a code build* where the source software component is not properly internationalized according to the one or more code internationalization standards. By way of contrast, as previously stated, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code internationalization standards and prevents completion of a code build where the source software is not properly internationalized. The addition of the Forte reference fails to cure these deficiencies because: (1) any quality control occurs at run-time instead of during the

software build; (2) the codesets are machine-language formats, not international standards; and (3) the Forte reference also fails to disclose internationalization standards and preventing completion of a build where software is not properly internationalized. Accordingly, it is respectfully submitted that the Murrow and Forte references, either alone or in combination, fail to teach or suggest each and every element of independent claim 12. Thus, claim 12 is patentable over the Murrow and Forte references and withdrawal of the 35 U.S.C. § 103(a) rejection of this claim is respectfully requested.

With reference to independent claim 23, as previously presented, a system is recited for generating a software translation which comprises, in part, a source software component that is subjected to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards* and *preventing completion of a code build* where the source software component is not properly internationalized according to the one or more code internationalization standards. By way of contrast, as previously stated, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code internationalization standards and prevents completion of a code build where the source software is not properly internationalized. The addition of the Forte reference fails to cure these deficiencies because: (1) any quality control occurs at run-time instead of during the software build; (2) the codesets are machine-language formats, not international standards; and (3) the Forte reference also fails to disclose internationalization standards and preventing completion of a build where software is not properly internationalized. Accordingly, it is respectfully submitted that the Murrow and Forte references, either alone or in combination, fail to teach or suggest each and every element of independent claim 23. Thus, claim 23 is

patentable over the Murrow and Forte references and withdrawal of the 35 U.S.C. § 103(a) rejection of this claim is respectfully requested.

With reference to independent claim 30, as previously presented, a computer-readable medium is recited, the computer-readable medium being readable to execute a method for generating a software translation which comprises, in part, storing the run-time translation resources for selective installation in a software application associated with the source software component, the source software component subjected to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards* and *preventing completion of a code build* where the source software component is not properly internationalized according to the one or more code internationalization standards. By way of contrast, as previously stated, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code internationalization standards and prevents completion of a code build where the source software is not properly internationalized. The addition of the Forte reference fails to cure these deficiencies because: (1) any quality control occurs at run-time instead of during the software build; (2) the codesets are machine-language formats, not international standards; and (3) the Forte reference also fails to disclose internationalization standards and preventing completion of a build where software is not properly internationalized. Accordingly, it is respectfully submitted that the Murrow and Forte references, either alone or in combination, fail to teach or suggest each and every element of independent claim 30. Thus, claim 30 is patentable over the Murrow and Forte references and withdrawal of the 35 U.S.C. § 103(a) rejection of this claim is respectfully requested.

With reference to independent claim 37, as previously presented, run-time translation resources for incorporation into a non-localized application to generate a language-

translated version of the non-localized application, the run-time translation resources being generated according to a method which comprises, in part, storing the run-time translation resources for selective installation in a software application associated with the source software component, the source software component subjected to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards* and *preventing completion of a code build* where the source software component is not properly internationalized according to the one or more code internationalization standards. By way of contrast, as previously stated, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code internationalization standards and prevents completion of a code build where the source software is not properly internationalized. The addition of the Forte reference fails to cure these deficiencies because: (1) any quality control occurs at run-time instead of during the software build; (2) the codesets are machine-language formats, not international standards; and (3) the Forte reference also fails to disclose internationalization standards and preventing completion of a build where software is not properly internationalized. Accordingly, it is respectfully submitted that the Murrow and Forte references, either alone or in combination, fail to teach or suggest each and every element of independent claim 37. Thus, claim 37 is patentable over the Murrow and Forte references and withdrawal of the 35 U.S.C. § 103(a) rejection of this claim is respectfully requested.

As the Murrow and Forte references, either alone or in combination, fail to teach or suggest each and every element of independent claims 1, 12, 23, 30, and 37, it is respectfully submitted that these claims are patentable over the Murrow and Forte references. Each of claims 2, 9, 11, 13, 20, 22, 24, 31, and 38 depends, either directly or indirectly, from one of claims 1, 12, 23, 30, and 37 and is, accordingly, patentable over the Murrow and Forte references for at

least the above-cited reasons. Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2, 9, 11, 13, 20, 22, 24, 31, and 38 is respectfully requested.

Claims 3-7, 10, 14-18, 21, 25-29, 32-36, 39-47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Murrow reference in view of the Forte reference and in further view of the Chiu reference. As the Murrow, Forte, and Chiu references, either alone or in combination, fail to teach or suggest each and every element of the claims, Applicants respectfully traverse the rejection as hereinafter set forth..

Claims 3-7 and 10 depend from independent claim 1, which includes a limitation directed to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards* and *preventing completion of a code build* where the source software component is not properly internationalized according to the one or more code internationalization standards. As previously stated, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code internationalization standards and prevents completion of a code build where the source software is not properly internationalized. The addition of the Forte reference fails to cure these deficiencies because: (1) any quality control occurs at run-time instead of during the software build; (2) the codesets are machine-language formats, not international standards; and (3) the Forte reference also fails to disclose internationalization standards and preventing completion of a build where software is not properly internationalized. Applicants respectfully submit that claims 3-7 and 10 are allowable at least by virtue of their dependency from allowable claim 1. Further, the addition of the Chiu reference still fails to cure the above-noted deficiencies. *See generally Chiu reference.* Thus, in addition to its dependency from allowable claim 1, Applicants respectfully submit that

the Murrow, Forte, and Chiu references, either alone or in combination, fail to teach or suggest each of the limitation of claims 3-7 and 10 under 35 U.S.C. § 103(a).

Claims 14-18 and 21 depend from independent claim 12, which includes a limitation directed to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards* and *preventing completion of a code build* where the source software component is not properly internationalized according to the one or more code internationalization standards. As previously stated, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code internationalization standards and prevents completion of a code build where the source software is not properly internationalized. The addition of the Forte reference fails to cure these deficiencies because: (1) any quality control occurs at run-time instead of during the software build; (2) the codesets are machine-language formats, not international standards; and (3) the Forte reference also fails to disclose internationalization standards and preventing completion of a build where software is not properly internationalized. The further addition of the Chiu reference still fails to cure the above-noted deficiencies. *See generally Chiu reference.* As such, Applicants respectfully submit that claims 14-18 and 21 are allowable at least by virtue of their dependency from allowable claim 12.

Claims 25-29 depend from independent claim 23, which includes a limitation directed to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards* and *preventing completion of a code build* where the source software component is not properly internationalized according to the one or more code internationalization standards. As previously stated, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code internationalization

standards and prevents completion of a code build where the source software is not properly internationalized. The addition of the Forte reference fails to cure these deficiencies because: (1) any quality control occurs at run-time instead of during the software build; (2) the codesets are machine-language formats, not international standards; and (3) the Forte reference also fails to disclose internationalization standards and preventing completion of a build where software is not properly internationalized. The further addition of the Chiu reference still fails to cure the above-noted deficiencies. *See generally Chiu reference.* Applicants respectfully submit that claims 25-29 are allowable at least by virtue of their dependency from allowable claim 23.

Claims 32-36 depend from independent claim 30, which includes a limitation directed to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards* and *preventing completion of a code build* where the source software component is not properly internationalized according to the one or more code internationalization standards. As previously stated, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code internationalization standards and prevents completion of a code build where the source software is not properly internationalized. The addition of the Forte reference fails to cure these deficiencies because: (1) any quality control occurs at run-time instead of during the software build; (2) the codesets are machine-language formats, not international standards; and (3) the Forte reference also fails to disclose internationalization standards and preventing completion of a build where software is not properly internationalized. The further addition of the Chiu reference fails to cure the above-noted deficiencies. *See generally Chiu reference.* Applicants respectfully submit that claims 32-36 are allowable at least by virtue of their dependency from allowable claim 30.

Claims 39-43 depend from independent claim 37, which includes a limitation directed to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards* and *preventing completion of a code build* where the source software component is not properly internationalized according to the one or more code internationalization standards. As previously stated, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code internationalization standards and prevents completion of a code build where the source software is not properly internationalized. The addition of the Forte reference fails to cure these deficiencies because: (1) any quality control occurs at run-time instead of during the software build; (2) the codesets are machine-language formats, not international standards; and (3) the Forte reference also fails to disclose internationalization standards and preventing completion of a build where software is not properly internationalized. Further, the addition of the Chiu reference still fails to cure the above-noted deficiency. *See generally Chiu reference*. Applicants respectfully submit that claims 39-43 are allowable at least by virtue of their dependency from allowable claim 37.

With reference to independent claim 44, as previously presented, a localized application is recited, the localized application being generated according to a method which comprises, in part, incorporating the run-time translation resources in the localized application, prior to the localized application receiving the run-time translation resources, the localized application being subjected to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards* and *preventing completion of a code build* where the localized application is not properly internationalized according to the one or more code internationalization standards. By way of contrast, as previously stated, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code

internationalization standards and prevents completion of a code build where the source software is not properly internationalized. The addition of the Forte reference fails to cure these deficiencies because: (1) any quality control occurs at run-time instead of during the software build; (2) the codesets are machine-language formats, not international standards; and (3) the Forte reference also fails to disclose internationalization standards and preventing completion of a build where software is not properly internationalized. The addition of the Chiu reference fails to cure these deficiencies. Accordingly, it is respectfully submitted that the Murrow, Forte, and Chiu references, either alone or in combination, fail to teach or suggest each of the limitations of previously presented independent claim 44 under 35 U.S.C. § 103(a). Thus, withdrawal of the 35 U.S.C. § 103(a) rejection of this claim is respectfully requested.

Claims 45-47 depend from independent claim 44, which includes a limitation directed to an *automated quality control*, the automated quality control *accessing one or more code internationalization standards and preventing completion of a code build* where the source software component is not properly internationalized according to the one or more code internationalization standards. As previously stated, the Murrow reference fails to teach or suggest an automated quality control that accesses one or more code internationalization standards and prevents completion of a code build where the source software is not properly internationalized. The addition of the Forte reference fails to cure these deficiencies because: (1) any quality control occurs at run-time instead of during the software build; (2) the codesets are machine-language formats, not international standards; and (3) the Forte reference also fails to disclose internationalization standards and preventing completion of a build where software is not properly internationalized. Further, the addition of the Chiu reference still fails to cure the

above-noted deficiencies. *See generally Chiu reference.* Applicants respectfully submit that claims 45-47 are allowable at least by virtue of their dependency from allowable claim 44.

CONCLUSION

For at least the reasons stated above, claims 1-47 are believed to be in condition for allowance. Thus, Applicants respectfully request withdrawal of the pending rejection and allowance of claims 1-47. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned by telephone prior to issuing a subsequent action.

This response is submitted in conjunction with a Request for Continued Examination and an appropriate fee. Also, because this response is submitted during the one-month extension period, a one-month extension fee is included. It is believed that no other fee is due in conjunction with the present communication. However, if this belief is in error, the Commissioner is hereby authorized to charge any additional amount required to Deposit Account No. 19-2112, referencing attorney docket number CRNI.107553.

Date: February 29, 2008

Respectfully submitted,

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